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FISCAL IMPACT REPORT

SPONSOR Anderson DATE TYPED 1/27/04 HB 193

SHORT TITLE 2nd District Teen Court Program SB _____

ANALYST Koplik

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY04	FY05	FY04	FY05		
	\$32.0			Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Synopsis of Bill

House Bill 193 appropriates \$32 thousand from the general fund to the 2nd Judicial District Court for the purpose of funding a teen court program.

Significant Issues

1. Teen court is a program designed for first-time teen offenders to keep their records clean. A jury composed of local teens does not decide innocence or guilt of an offender, but assesses the sentence of the offender. The offender must openly admit commission of a delinquent act in front of the teen jury. If the offender admits to a delinquent act, accepts the “sentence” of the teen jury and successfully completes it, then the delinquent act is dismissed and the offender pays no fine.
2. According to DOH, there are currently 22 teen courts in operation around New Mexico. Many of them have received funding from DFA’s DWI grant program; others from county and municipal funding sources. Programs may also apply for funding from DFA’s DWI grant program to support operations. Teen courts funded through district courts are vulnerable to termination and insufficient funding.
3. Local municipal courts may be the most appropriate way to fund and administer teen court programs since they mainly involve misdemeanor violations.
4. AOC did not provided any information regarding teen court operations in their responses

to the LFC. The Second Judicial District did not request these funds.

FISCAL IMPLICATIONS

The appropriation of \$32 thousand contained in this bill is a recurring type of expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2004 shall revert to the general fund.

Generally, teen court programs are funded through the Local Government Division of the Department of Finance and Administration. The solitary teen court still attached to a district court lost all funding in FY 2004, as it was deemed a non-essential court function. If programs are to be effective, teen courts must have a recurring revenue stream.

POSSIBLE QUESTIONS

How effective is Bernalillo County's Teen Court program?

RLG/yr:lg